

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Michael R. Culp, Suzanna K. Culp, )  
Joseph F. Giacometti, Maryanne )  
Giacometti, and Wineot, Inc., )  
Plaintiffs, ) CA No. 6:06-2982-HMH  
vs. )  
The Grape Franchise Group, LLC, a )  
Georgia limited liability company, Jack )  
Mazur, individually, and Martin Thallman, )  
individually, )  
Defendants. )

**OPINION & ORDER**

This matter is before the court on The Grape Franchise Group, LLC, Jack Mazur, and Martin Thallman's (collectively "Defendants") motion to stay this action pending arbitration and to compel Michael R. Culp, Suzanna K. Culp, Joseph F. Giacometti, Maryanne Giacometti, and Wineot, Inc. (collectively "Plaintiffs") to submit to arbitration. Plaintiffs consent to the Defendants' motion. Therefore, the court grants the parties' consent motion to compel arbitration. However, because all claims between the parties are submitted to arbitration, the case is dismissed. See Choice Hotels Int'l, Inc. v. BSR Tropicana Resort, Inc., 252 F.3d 707, 709-10 (4th Cir. 2001) ("[D]ismissal is a proper remedy when all of the issues presented in a lawsuit are arbitrable.").

It is therefore

**ORDERED** that the motion to compel arbitration is granted. It is further

**ORDERED** that the case is dismissed with leave to refile.

**IT IS SO ORDERED.**

s/Henry M. Herlong, Jr.  
United States District Judge

Greenville, South Carolina  
November 21, 2006